

**OFFICIAL MINUTES OF THE  
WEBB COUNTY COMMISSIONERS COURT  
MEETING OF APRIL 8, 2002  
LAREDO, TEXAS**

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 9:00 a.m. at the regular meeting place with the following members present to wit:

**Mercurio Martinez, Jr.**  
**Jerry Vasquez**  
**Judith Gutierrez**  
**Felix Velasquez**  
**Miguel Urdiales**

**County Judge**  
**Commissioner Prct. #1**  
**Commissioner Prct. #2**  
**Commissioner Prct. #3**  
**Commissioner Prct. #4**

Thus constituting a quorum, the Commissioners Court proceeded to act upon the agenda as posted in the meeting notice of the 5<sup>th</sup> of April. Present were Selina G. Reyes, Deputy County Clerk, representing Mr. Henry Flores, Ex-Officio Clerk of the Commissioners Court. Present also were Ms. Selina G. Reyes, Deputy County Clerk, Representing Mr. Henry Flores,

02-04-151

2. Approval of Minutes –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to accept the minutes as submitted with the following correction:

Page 8 – 9. – a. } Should state that Commissioner Velasquez voted against this motion.

02-04-152

3. Communications -

Dr. Cliff Black addressed the court regarding The Laredo Clean Cities Coalition that is hosting a National AFV Day Odessa on April 11, 2002, showcasing cleaner choices in transportation.

City of Laredo Fire/EMS calls to Webb County for the month of March 2002.

Judge Martinez reminded the public that tomorrow is election day for the run-offs and urged everyone to vote.

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to move up item 02-04-158 9. –h. }

Agreement with Brooks County –

After discussion a motion was made by Commissioner Urdiales and seconded by Commissioner Vasquez with all voting “Aye”, in favor to defer this item:

Enter into an Interlocal Agreement with Brooks County, Texas for a one year period to house Webb County inmates in the Brooks County Detention Center at the daily housing per prisoner fee of \$ 37.50 and authorize the County Judge to execute any and all relevant documents.

Mr. Homer Mora, Brooks County Judge was present to answer any questions for the court regarding this item.

02-04-153

#### 4. Bills, Payroll and Monthly Reports –

Mr. Jorge Flores, Interim Treasurer informed the court that there was not a report at this time.

#### Auditor's Report –

Mr. Leo Flores, Auditor presented his report at this time.

#### Tax-Assessor-Collector –

Ms. Patricia A. Barrera, Tax Assessor-Collector presented the M.V.D. and Ad Valorem reports at this time.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to accept all reports as submitted.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to move up item 02-04-158 9. – r.:

#### Deferred Item –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to defer this item:

Discussion and possible action to order a Tax Abatement for and enter into a Tax Abatement Contract with Lowe's Companies, Inc. of North Wilkesboro North Carolina, D.B.A. Lowe's Home Center, Inc., a.k.a. Lowe's Home Improvement Warehouse for property located at 6623 I.H. 35 Business Park Subdivision, Laredo, Webb County, Texas, pursuant to the Texas property redevelopment and Tax Abatement Act, V.A.T.S. Tax Code, Chapter 312, as amended, and Resolution of the Webb County Commissioners Court passed January 22, 1999 (electing to become eligible to participate in tax abatements) for a 100% Tax Abatement subject to the tax abatement criteria in said agreement, which require that the aggregate cost of improvement not fall below fourteen million three hundred thirty-one thousand six hundred thirty dollars (which said improvements are \$ 3,592,795.00 dollars in undeveloped land cost, \$ 5,718,330.00 dollars in land development cost, \$ 6,068,400.00 dollars in improvements and \$ 2,574,900 million in personal property) and that a minimum of 200 new permanent full-time jobs be created and sustained within one year after the completion of improvements, for a term of five years beginning on January 1, 2003 and ending on December 31, 2007 and authorizing the County Judge to sign all relevant documents.

Ms. Phyllis J. Colon, City of Laredo Tax Assessor-Collector addressed this item.

02-04-154

5. Proclamation –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to proclaim “Fair Housing Week” from April 15<sup>th</sup>-19<sup>th</sup>.

02-04-155

6. – a. Tax Assessor-Collector –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve the following refunds:

Killiam Oil, c/o LB Walker  
Reason: did not exist on 1<sup>st</sup> year of 2001  
Total refund: \$ 1,237.61

Edwin V. Shirley Smith c/o Family Partnership  
Reason: Double assessed with 801-19020-134  
Total refund: \$ 524.66

6. – b. Parks and Grounds/Golf Course –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to approve a line item transfer as follows:

From: Acct. 001-6001-5601 (adm. travel) \$ 2,500.00  
To: Acct. 001-6001-6022 (prof. Serv.) \$ 2,500.00

6. – c. Risk Management -

1

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to approve a line item transfer as follows:

From: Acct. 001-0105-6032 (property, casualty, liability) \$ 1,000.00  
To: Acct. 001-0105-6014 (equip. rental) \$ 1,000.00

2.

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to table this item:

Action to consider reimbursement of medical expenses incurred and considered medically necessary as per attending physician, but excluded as covered benefit under our current policy.

6. – d. Community Action Agency –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to modify slot # 1809 “”(CEAP Secretary) effective April 8, 2002 (no impact on General Fund):

From:

To:

Full-time temporary @  
\$ 6.50 an hour

Full time permanent @  
\$ 8.50 an hour

6. – e. Webb County Auditor –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to enter into a one year Maintenance Agreement with Xerox Corporation (renewable annually thereafter) on a Xerox copier at a monthly cost of \$ 325.00 and authorize the County Judge to execute all relevant documents (Funding available through Auditor’s budget).

6. – f. Planning Department –

1.

A motion was made Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to approve proposed road/street name(s) under the county’s 911 Rural Addressing efforts for the following area:

Location

Road Name

Reuthinger Ranch  
(North IH35)

East Reuthinger Ranch Road

\*\* Commissioner Vasquez stepped out.

2.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve certification regarding compliance with Plat requirements and the connection of utilities to authorize utility connections to the following properties:

Connection(s) qualifying under Section 232.029 (i)  
Tract 56, Las Pilas II Subdivision (electricity – one dwelling)

6. – g. Webb County Water Utilities Department –

1.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to authorize modification #1 with CH2M Hill, Inc., for subsurface intake pipeline extension and energy optimization and application Software for the design of the Regional Water Treatment Plant in the amount of \$ 171,500.00 (Original contract \$ 1,351,000 + modification # 1 \$ 171,500 for a total of \$ 1,522,500). This authorization is subject to the approval of the Texas Water Development Board’s Engineer (Funding from acct. # 649-8005-6023-7, 649-8005-6022-6 and 649-8005-6022-8).

2. Road & Bridge -

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to fill slot # 1995 (refuse truck driver) at \$ 9.29 an hour and slot # 1377 (Equipment Operations Supervisor) at \$ 1,288.77 per pay period.

02-04-156

7. – a. Solicit Bids / Drilling of second water well –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to solicit bids for the drilling of second water well and electrical power connections for the Casa Blanca Golf Course at an estimated cost \$ 50,000.00. (Series 2001 Capital Outlay)

\*\* Commissioner Vasquez now present.

7. – c. Accept fertilizer / Casa Blanca Golf Course –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to accept fertilizer provided by “Asmussen Horse Training Center” at no cost to the county, to fertilize the Casa Blanca Golf Course and authorize county vehicles and personnel to transport fertilizer.

7. – d. Request for proposals / New J.P. Office in South Laredo –

A motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to request proposals for the construction of the

new Justice of the Peace Office Building in the southern part of Webb County.

02-04-157

8. – a. Purchasing Department –

A motion was made by Commissioner Urdiales and seconded by Judge Martinez with all voting “Aye”, in favor to obtain the services of A-1 Auto stop to repair engine for unit #95, 1998 Ford bus with an estimated cost of \$ 5,155.06 for the CAA Transportation Department (acct.# 980-4205-6403).

8. – b., c. & d. Purchasing Department / Various items –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to approve the following items:

Award the following bids – Bid # 2002-45 “Webb County Justice Center  
Damage Restoration Project” to Ramon Zertuche  
Construction

Bid # 2002-48 “Furniture for the Administration  
Building” to Herman Miller, Wittings and G & S  
Office Supplies

Bid # 2002-49 “Equipment to Network New  
Administration Upgrade for Consolidation”  
to World Com

Bid # 2002-51 “One 68x100 sq. ft. portable building”  
to Comark

Retain the services of Nueces Power Equipment to repair one 2000 Ingersol  
Compactor # 10-92 in the amount of \$ 5,621.95 for the Road & Bridge  
Department (#acct. 010-7002-6403).

02-04-158

9. – a. Renew Lease Space / Troy Van Brunt –

A motion was made by Commissioner Gutierrez and seconded by Commissioner

Vasquez with all voting "Aye", in favor to exercise an option to renew lease space with Troy Van Brunt, for an additional two months (through June 30, 2002 based upon the Anticipated completion date of the administration building) at a monthly cost of \$ 8,750.00 plus utilities and authorization for County Judge to execute all relevant documents.

9. – b., c.,d., & f. County Attorney / Leases -

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting "Aye", in favor to approve the following items:

Authorize the County Judge to sign a three year master Lease schedule and other lease finance documents with John Deere Credit for lease equipment for the Webb County Golf Course, being two Progers Heavy Duty Utility vehicles and one tractor, for three years, with monthly payments of \$ 1,379.31 and;

Execute a lease between Webb County and Beatriz Cruz for the property situated at 3520 Monterrey, in Laredo, Webb County, Texas for use as a Head Start Program Center for a term of one year commencing on September and ending on August 31, 2003, and at a monthly rental of \$ 833.49 and authorizing the County Judge to execute all relevant documents and;

Execute a lease between Webb County and Santa Fe Development LC for the property situated at 531 Jemez, in Laredo, Webb County, Texas for use as a Head Start program Center for a term of three years commencing on October 1, 2002 and ending on September 30, 2005, and at a monthly rental of \$ 350.00 and authorize the County Judge to execute all relevant documents and;

Execute a lease between Webb County and Luz Garcia for the property situated at 1118 Constantinople, in Laredo, Webb County, Texas for use as a Head Start Program Center for a term of one year commencing on July 1, 2002 and ending on June 30, 2003 at a monthly rental of \$ 1,195.01 and authorize the County Judge to execute all relevant documents and;

Execute a Lease between Webb County and Churches of Christ in Christian Unity for the property situated at 3301 Main, in Laredo, Webb County, Texas for use as a Head Start program Center for a term of one year commencing on July 1, 2002 and ending on June 30, 2003, at a monthly rate of \$ 1,195.01 and authorize the County Judge to execute all relevant documents.



9. – g. Deferred Item –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to defer this item:

Action to enter into a Contract with Mitel Networks Solutions, Inc., in the amount of \$ 455,714.10 for the SX-2000 Light Telephone/Data System for the Webb County Judge to execute all relevant documents and any matters incident thereto.

9. – i. Line Item Transfer –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve a line item transfer as follows:

From: 001-1101-5601 Admin. Travel \$ 500.00  
To: 001-1101-5602 Local Mileage \$ 500.00

9. – j. Equipment Lease Agreement –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to enter into an Equipment Lease Agreement with GE Capital for a Toshiba Estudio 65 Digital copier and accessories to be located at the Webb County District Attorney’s Office for a thirty-six month (4/1/02 thorough 3/31/05) lease in the amount of four hundred ninety five dollars (\$495.00) per month and authorizing the Webb County Judge to sign all relevant documents.

\*\*Forfeiture Funds

9. – k. Maintenance Agreement -

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to enter into a Maintenance Agreement with Technicopy for a Toshiba Estudio 65 Digital Copier to be located at the Webb County District Attorney’s Office for a thirty-six month (4/01/02 through 3/31/05) lease in the amount of one hundred fifty dollars (\$150.00) per month and authorize the Webb County Judge to sign all relevant documents.

9. – l. Tabled Item –

A motion was made by Commissioner Vasquez and seconded by Commissioner

Urdiales with all voting “Aye”, in favor to table this item:

Action to authorize the reimbursement of medical expenses to Webb County Auditor Leo, Flores and any matters incident thereto.

9. – m. Tabled Item –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to table this item:

Action regarding alternative to Courthouse Security and any matters incident thereto.

9. – n. Accept Order, Right-Of-Way Dedications –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to accept by Order, Right-Of-Way Dedications from property owners in Rancho Penitas West Subdivision, out of the following facts:

Tract	Grantee(s)
Tract 8, Unit 1-A	Raul Tijerina, Raul Tijerina, Jr., Filiberto Banda and Santos Melendez
Tract 71, Unit V	Rogelio Gutierrez and Maria Olga Gutierrez
Tract 72, Unit V	Ramon Rodriguez, Rosa Rodriguez, Juan Trevino and Dinora Trevino
Tract 85, Unit VI	Teodoro Trevino and Juanita Trevino
Tract 87, Unit VI	Ignacio Torres
Tract 91, Unit VI	Maria Luisa Loza de Rico and Juan Jose Rico Loza
Tract 28, Unit VII	Sylvia R. Artologoza
Tract 33, Unit VIII	Jose Israel Jaime and Maribel Jaime
Tract 35, Unit VIII	Gustavo Gonzalez and Maria de la Cruz Gonzalez
Tract 36, Unit VIII	Anselmo Gutierrez and Alfredo Gutierrez
Tract 39, Unit VIII	Meregildo Olvera and Jose Nereo Olvera
Tract 42, Unit VIII	Mario C. Landa and Ventura Espinosa
Tract 44, Unit VIII	Oscar Reyes and Angela A. Reyes
Tract 46, Unit VII	Alicia de la Cruz and Matilde de la Cruz

9. – p. Grant Agreement –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to execute grant Agreement # VCR202(22) between the State of Texas, acting through the Texas Department of Transportation and Webb County in the amount of \$ 104,000.00 further described as the “State/Local Grant Agreement Capital Investment Program” to pay for one Type 11 Bus, effective upon Execution and ending April 30, 2003, authorizing the County Judge to execute all relevant documents.

9. – q. Solicit Bids / Type I Bus –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to authorize the Purchasing Agent to develop and solicit bids for the Type II Bus pursuant to the requirements of Texas Department of Transportation Grant Agreement# VCR 0202(22).

9. – s. Engineering Contract / Turner, Collie and Braden, Inc. -

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to enter into an Engineering Contract with Turner, Collie and Braden, Inc., to conduct a Water and Wastewater and Facilities Study for the Highway 59 area (including but not limited to survey of residential areas within the facility planning area, preparation of an area map, prepare an estimate of water usage and wastewater flows, examine and describe total existing water and wastewater system capacity, description and preliminary engineering design of a proposed water and wastewater facilities, prepare detailed construction cost estimates, determine the percentage of proposed water and wastewater capacity to the serve the area and other services as set forth in the contract) at a cost of one hundred ninety thousand dollars (\$ 190,000.00) and authorize the County Judge to sign all relevant documents.

11:40 a. m.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting "Aye", in favor to go into Executive Session for the following items:

02-04-156

7. – b. } Action to create and fund a position to address request from Texas Department of Housing and Community Affairs with reference to the Weatherization Program and any matters incident thereto.

02-04-158

10. – o. } Action regarding Civil Action # 5;01-CV-92; Jose F. Hernandez, Plaintiff vs. Juan Garza, in his official capacity as Sheriff of Webb County, Texas and Webb County, Texas, Defendant; in the Southern District of Texas, Laredo Division.

\*\*\*\*\*EXECUTIVE SESSION\*\*\*\*\*

12:20 p.m.

The court returned to regular session and Judge Martinez stated that no action had been taken in Executive Session.

7. – b. – Judge Martinez stated that Mr. Carlos Villarreal, Administrative Assistant, Ms. Cynthia Mares, CAA Director, Mr. Leo Flores, Auditor will get together to address this item. This item will be brought back at the next Commissioners court meeting.
10. – o. – A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting "Aye", in favor to authorize the County Attorney to proceed with a trial on this matter. Voting against were Commissioner Gutierrez and Commissioner Velasquez. Voting in favor were Judge Martinez, Commissioner Urdiales and Commissioner Vasquez, the vote being 3 to 2, motion carried.

A motion was made by Commissioner Gutierrez and seconded by Commissioner

Vasquez with all voting “Aye”, in favor to adjourn the meeting.

